

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CALVIN E. McDOWELL,**  
**Plaintiff,**

**vs.**

**NANCY A. BERRYHILL, Acting  
Commissioner of Social Security,  
Defendant.**

**CIVIL ACTION**

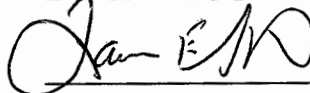
**NO. 17-1609**

**ORDER**

**AND NOW**, this 1<sup>st</sup> day of February, 2018, upon independent consideration of the plaintiff's request for review, the defendant's response, and the plaintiff's reply (Doc. Nos. 9, 12, and 13), and after review of the thorough and well-reasoned Report & Recommendation of U.S. Magistrate Judge Thomas J. Rueter, IT IS ORDERED that:

1. The Report & Recommendation is APPROVED and ADOPTED.
2. The plaintiff's request for review is GRANTED, and the decision of the Commissioner of the Social Security Administration is VACATED.
3. The matter is REMANDED to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the Report & Recommendation.
4. The Clerk of Court is directed to mark this case CLOSED for statistical purposes.

BY THE COURT:



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LAWRENCE F. STENGEL, C.J.